



Deputy discretion when using a Body Worn Camera (BWC) system:

The topic of exactly when a deputy is required to start recording an incident and when they are able to end that recording is routinely discussed and debated. The Video Analysis Unit, (VAU) would like to give some guidance to help deputies make those determinations.

The Patrol Procedure Manual states, *"There are multiple situations when activating a BWC is needed; however, this manual is not intended to describe every possible circumstance. The safety of deputies and members of the public is the highest priority, and the department acknowledges there may be situations in which operation of the BWC is impractical or may be an impediment to deputy and public safety. Additionally, the department recognizes human performance limitations during particularly stressful and critical situations."*

There is no way to spell out exactly when a deputy is to start/end a recording for every single possible situation. This is why you are given some discretion. Deputies should use the following as a guide;

1. Sound judgment and discretion shall dictate when a body-worn camera is activated; however, deputies shall activate the body-worn camera to record citizen contact when law enforcement action is being or may be taken.
2. The record mode of the camera shall be activated prior to actual contact with the citizen (victim/witness/suspect), or as soon as safely possible, except for tactical or safety reasons and continue recording until there is no longer any evidentiary value to the video.

If you have contact with a citizen and are NOT currently taking any law enforcement action, or planning to take any such action, then you DO NOT have to record that contact.

As a general guideline, you should activate the record mode of the Body Worn Camera (BWC) as early as possible in your law enforcement contact and continue the recording until there is no longer any evidentiary value.

Deputies cannot see into the future and know every possible moment they will take law enforcement action, thereby needing to activate their BWC. This is why the BWC has a 30 second pre-event buffer. Once a deputy

starts a BWC recording, the camera captures the 30 seconds that occurred prior and adds it to the beginning of the video. If something occurs in front of the deputy and their camera was not in record mode, they simply start the camera within the 30 second buffer to capture the incident.

Additionally, because of this 30 second buffer feature, deputies have discretion to end a video when there is no longer any evidentiary value to the recording. If a deputy ends a video during a call and the situation changes causing the need to record again, the deputy may start another video.

If you are on a call and for whatever reason you are no longer taking any law enforcement action, i.e. waiting for a tow truck, standing on a perimeter position, waiting for the Medical Examiner to show up, waiting in a hospital, or your video does not have any evidentiary value to your call, you may end your recording. However, if something occurs in your presence that needs to be documented for law enforcement reasons/evidence, deputies shall activate their BWC to capture the event.